

Daily Democrat.
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ONE MONTH.....30

Notice to Mail Subscribers.
Subscribers are supplied with a notice of the date their subscription will expire ten days in advance of the time; and again with a second notice on the day the last copy paid for is sent. This will enable all persons to keep the paper on their accounts, and to renew in time to prevent an issue of the paper.

We publish from the New York Tribune an article upon the Union as it was. The writer, evidently, believes no such Union possible, and gives about the best reasons for that opinion that can be conjured up. How is the Union as it was to be restored, is a practical question, we grant, and practice alone accords with any theory in matters of government. But look at the difficulties here suggested, in the way of restoring the Union as it was. And here it is pointed out that a restoration of the Union as it was, does not involve the restoration of all material interests. States and individuals may sustain as in property that will not be required except by time. No one supposes that we can restore the multitude of lives lost in this unhappy contest, or all the property destroyed or lost. Nor do we suppose that ambitious men will have the same chances for offices and honors that they once had. On the contrary, it is highly probable that the present generation of active politicians may be laid on the shelf for all time to come upon a restoration of the Union. Perhaps the writer in the Tribune will be there after left out in the cold, to ruminate on the mutability of all human things. If the people restore to themselves, they will displace all men who have been active in the irrepressible conflict on both sides.

We mean by a restoration of the Union as it was, that the Federal Government and the States shall have the same rights they had before the contest. If the people require the Constitution to be changed, they can do it in the prescribed way, and not allow it to be done by military power. In our judgment, it ought to be changed or explained in many particulars. The instrument has been totally disregarded in thousands of ways, under the plea that in time of war certain provisions of the Constitution are in the way and cannot be observed. In short, it seems to be held that the Constitution and laws may be set aside in case of emergency; that the Constitution itself admits the necessity of its own abrogation in certain cases. If this Union is to be restored, some authoritative explanation on these points ought to be made.

That, by the way, however, we have explained, what is not meant by a restoration of the Union as it was, and what is meant. Now, for the difficulties. The "three hundred thousand persons set free." Whether they are legally free or not is a question to be settled. They are free *de facto*—free by force. If they are legally free, there is the end of it; if they are not, then the difficulty does not exist, unless the Tribune & Co. intend to insist on their point by force, in spite of law, in which case they are only rebels, and ought to be dealt with as such.

Now, suppose the States restored to the Union, that the rebellion is abandoned, and the States enjoy precisely the rights they had before the war. If these American citizens of African descent remain in Louisiana, for example, and what is to be done? We need not concern ourselves to the State. In the free States generally, the negro has no rights that the white man is bound to respect. That is the theory and that is the practice. Generally the free States give the negro no political rights, nor any social rights at all. He is not allowed to immigrate to some of these States, or to live in them at all.

We are not bound to foretell what a State will do. It will be at the discretion of the State. If a State passes a law contravening the rights of the Federal Government, there is a tribunal to decide that point. If the States find slaves gone out of their jurisdiction, that is another question. Some confounding questions may arise in an attempt to restore the fugitive slave law literally. If the slave escaped from his master the case would be plain under the law; but if the master ran away and left him, the case would be altered. The master may be considered as having abandoned his property.

But here stands the fugitive slave law. That is the second difficulty. It is no more in the way of this writer than it has been. He and his friends resisted it before the rebellion. They have been for a quarter of a century or more rebels against a plain provision of the Constitution.

How can the law be executed, is the trouble; but it is not a new question. This writer and his friends have all along determined not to obey this law, if they could help it, and have passed State law to nullify a clause of the Federal Constitution. An extreme case is supposed, in which the man may take the lives of soldiers who may happen to be on hand when the slave is arrested. No doubt, hereafter any negro arrested will be the very case that saved soldiers from his master, who was a murderer-guerrilla. It will be an easy task to invent such an excuse for a rescue, which would be attempted without an excuse.

The whole amount of the difficulty is, that the Tribune & Co. do not intend to obey a constitutional law. They have always refused to obey it. The difficulty is just this, in plain terms, says the Tribune, we, U. S. & Co. do not intend to comply with that clause of the Federal Constitution. We have always resisted it by fair means and foul, and we intend to resist it hereafter. Well, if they resist, and won't obey the Constitution, why do they ask others to obey it? Why take up arms to compel others to obey what they will not obey themselves? These men are bold body that they will not live up to the conditions of the Union and yet they will spend the last drop of blood to make others live up to it. It is very true that this makes a difficulty. It has always been a difficulty, without excuses that will be made now. The Tribune & Co. will not obey the Constitution and the law made in pursuance of it. Davis & Co. have made a difficulty of the same sort. They will not obey the laws and Constitution of the Federal Government. Perhaps we may be able to compel both to obey. If that is impossible, we don't think one set of rebels ought to be forced to obey the other. If men will obey laws and Constitution, the difficulty will not be much in the way; if they do not, there is no remedy that we see.

As to West Virginia, that may be settled between the two parts of the State. If their sentiments are irreconcilable, they ought to have another State. That will not disturb the Union any more than any other new State. It will be time enough to look that difficulty in the face when Virginia can't settle it, if she ever agrees to come back to the Union.

Then there is a fourth difficulty. The leading, active, uncompromising Unionists of the South are Abolitionists, like Andrew John-

son. They will be left out in the cold if the Union is restored as it was. And must we consult these few men, and subject the whole country to their necessities?

What merit attaches to a man to dominate over the rest of mankind? We must have eternal war has a few men may not be great. We must spend blood and treasure to keep them in position. We venture to say there is not a patriot among these men who desires any such thing. Redeem the country and they will take care of themselves. As to Andrew Johnson, we don't intend to deprecate his merits; but he was, in 1860, a fierce pro-slavery man, and got along pretty well. For the sake of the Union he can change again. As to these Unionists in the South who have become Abolitionists, the Tribune is vastly mistaken in their numbers. The writer may imagine that Garrison and Prentiss have suppressed the emancipation sentiment in this State; but all Kentuckians know better than that; and, we presume, the Tribune is no better posted in other States. Slaveholders and rebels are identical, according to the Tribune; but that is a fallacy which even facts would not cure the Tribune.

Lastly, there are the hopes and expectations of the negroes. They must be consulted in the matter. We presume no one knows less of these hopes and expectations than the editor of the Tribune. He has a theory and a sentiment, and if facts do not conform to the worst of the facts. If the Union is restored it would make no great difficulty, if the question were left to the negroes, who have tried the Tribune's freedom. They would prefer what they had to it.

But we now ask the Tribune where he and his friends get the right to change the Union as it was? Who made them judges in the case? Where do they get the right not to restore the just authority of the Government, but to change it and make it something else? This question precedes all questions of expediency or practicability. If the Government seeks something other than the assertion of its just authority under the Constitution it is in revolution or rebellion itself. It is usurping authority for which it has no warrant. If we were in a war to impose our authority on Cuba we would be doing no worse.

A Free Press.
In the English Parliament, in 1730, the assault upon the freedom of the press, and especially the decision of Lord Mansfield, attracted the attention and aroused the indignation of the greatest minds that England produced. The representatives of the people, true to their duty, in defiance of executive power, at once questioned, denounced and repudiated it. The older Pitt, in the House of Lords, assailed Lord Mansfield for his decision to judges by which the right to try the crime of libel was taken from them. His Lordship made no other defense than leaving a copy of the judgment in the court of King's Bench in the case of publisher Woodfall with the clerk of the House of Lords. Lord Camden denied the decision was law, and proposed six questions to Mansfield. The latter, in great distress and confusion, declined to "answer interrogatories." This great violation of the Constitution was not allowed to pass without remembrance in the House of Commons, and Mr. Burke showed in a masterly speech that if the criminality of a libel were properly excluded from a jury, then should the malice in cases of stealing, and the felonious intent in charges of murder, be equally removed from the jurisdiction and confined to the judge.

But while the Bench was subservient, the bar found an able defender of the printers in the celebrated Lord Erskine. Unwieldy power, in a eloquent defense of the rights of justice, he made it plain that under Lord Mansfield's instructions in the case of the Dean of St. Asaph the defendant had said, in fact, no trial, having been found guilty without any investigation of his guilt, and without any power left in the jury to take cognizance of his innocence.

In the trial of Stockdale, in 1793, for publishing a defense of Warren Hastings, written by the Rev. Mr. Logan, Mr. Erskine made a like defense, unequalled in eloquence and unsurpassed in logic. He contended that the defendant was not to be judged by isolated passages, selected and put together in the information, but by the entire context of the publication. The verdict of not guilty was returned, and thus was established the principle that full and unqualified defense of the rights of justice is to be punished for a few unguarded expressions, but was entitled to a fair construction of his general purpose and intent in writing, of which the jury was to decide.

Here the judges were fairly driven from the ground that assumed that the appointees and defendants of executive power were alone to decide a question involving the interests and safety of every individual in the commonwealth. In summing up the results of this contest, we would not have it understood that we condemn the law or its justice. It is only its interpreters we condemn. The law was as plain then as now, and the series of decisions were as plain violations of it as of the common sense upon which the law is founded. We had as well condemn a stream gushing from a pure fountain in the rocks, that it has been stained and polluted by the channels through which it flows. The one who is polluted is not the water, but the channel; and the only way to be straitened through sources kindred to those from which they spring to be as unclean as ever.

This victory of the people, thus finally and somewhat ungraciously recognized by the judiciary, only required the action of the legislative branch of the government to give it fullness and effect; and, strange to say, upon the opinions of the judges being asked upon Mr. Fox's "libel bill," they reiterated the decision already condemned, that the criminality or innocence of letters or papers published was matter of law and not of fact.

In 1792 the libel bill declaratory of the law was passed "to regulate the practice of the courts in the trial of libels, and make it more in conformity with the constitution," and thus the highest branch of the English Government condemned and repudiated a rule by which the freedom of the press was made subject, indirectly, to the censorship of the executive branch of the government.

The press was not yet by any means enfranchised, but the prevalent spirit of liberty had opened free discussion to the public, and the consequence was an elevation in the tone of the press. Error found its proper combatant in that wide arena where truth was allowed to meet it. The most intricate questions of state policy—the profoundest subjects of morals—were discussed in able publications, and by able writers, that men of sense were issued from secret presses at the press of the publisher. The diffusion of information tended directly to elevate all classes, and rested upon the writers of the day. With the spread of intelligence and this activity of mind consequent upon the great struggle and still more upon that great revolution which was already beginning to send its flow all over Europe, there arose a demand for information upon every subject in which individuals were interested. The rights of man, the reciprocal duties of the Government and the citizen, were discussed in that plain and homely style which has contributed more than anything else to make the press what it now is in England—the fourth

estate; that power behind the throne greater than the throne itself. During this period such newspapers as the London Herald and the famous "Standard," the London Times, were established. Their influence not only upon the English Government but upon civilization all over the globe is incalculable. While it would be useless to deny that the press has done some evil since that time, yet when the balance is fairly struck by an impartial and enlightened mind, the good will be found to predominate beyond all comparison, and many must be disposed to censure, even more to its forbearance than their deeds. The struggle was by no means ended, but the Government was, henceforth, forced into appealing to the decision of the people. The courts were no longer willing or able to lend their authority to sustain, alone, a despotic rule, and still less could a commander of an army assume that censorship which had been so positively and conclusively condemned.

Professor S. W. Johnson is writing articles in the Country Gentleman to prove that Liebig does not understand the subject of agriculture. Probably Liebig had better come over to this country and take a course of instruction in Yale, where he can have the benefit of Professor Johnson's lectures. If, after more than twenty years' devotion to the subject, Liebig could learn nothing of agriculture accurately and thoroughly, what is the use of any one else making the attempt?

Last year the Republicans in Maine polled 36,219 votes, and the Democrats polled 30,731. At the late election the Republicans polled 54,373, and the Democrats 36,713. The Republicans did make a gain in their majority, but they didn't gain from the Democrats. The latter gained about six thousand votes. Where the increased Republican vote came from is another question. There was, no doubt, a full amount of rascality in voting early and often, as well as in importing votes.

THE SUGGESTION POLICY IN MISSOURI.
The following, from the St. Louis correspondent of the Tribune, illustrates pretty well what sort of work Uncle Sam is to have on hand for many years, under the present administrative policy of universal confiscation, emancipation, extermination, &c.:

Meanwhile guerrillas, bushwhackers and outlaws are having it pretty much their own way throughout the State. Missouri is shot down in their houses, with their families clinging around them, for no other reason than that they are Union men. Heres, bars, and even farms, are burned. So general and so common are these confederations that incursion is not made of half of them. One paper the other day said that the State is constantly illuminated by the blaze of burning buildings. Outlets of his life from one end of the State to the other. His property is at the mercy of any predatory band that malice or the love of plunder may bring upon him. All sorts of senseless outrages are committed day by day, and in many portions of the State society is brought into a state of anarchy. The worst of the old one which once shrouded the world. The civil government is powerless, and makes no pretensions to be otherwise. Everybody laughs at it as the incarnation of stupidity and conservatism. The military, though it is everywhere, is doing little or nothing, seem to make but little progress toward the suppression of cut-throat and the restoration of peace and order.

NEW JERSEY CONTRIBUTIONS TO THE NEW MARKETS.—The *Morning News* (New Jersey) Herald says that during the strawberry season from fifty to one hundred wagon loads of fruit are taken to New York, and five hundred thousand baskets go from the entire country, making an average return for the year of \$25,000, of which \$5,000 go to the pickers. The other berry crop—whortoberries, blackberries, &c.—are as much more. The pea, bean and turnip crop, the farmers, for raising large crops of these, are doing very well. The farmers for peas and beans \$800. Another farmer has already received this year over \$1,600 for apples. Of potatoes sixteen thousand barrels a week are sent to New York, netting \$24,300 weekly. The citron crop realizes \$18,000 a week, and the melon, tomato, squash, and peach crops still more. An immense amount of hay is also sent to New York, but the value is not stated. The oysters sent annually from Keyport are worth from \$300,000 to \$500,000.

ENORMOUS ABUSES. It is said, have crept into the politico-military administration of New Orleans. It is alleged that the military man now acting as Mayor has been receiving \$20,000 a year and other lesser officials in proportion. The following sweeping order of Gen. Banks falls among them like a bomb-shell:

HEADQUARTERS DEPARTMENT OF THE GULF, Special Order No. 223:

2. No persons in the military service of the United States, within this Department, will be permitted to receive any extra pay or compensation for services rendered, except by order of the commanding general, or by authority of the laws of the United States.

CONFISCATED SOUTH CAROLINA LANDS FOR SALE.—New advertisements for the sale of the confiscated lands in South Carolina have been issued. Certain portions of the lands are to be reserved for school and benevolent purposes, and the balance will be sold in lots, the maximum price fixed being \$1 25 per acre. Twenty-acre lots are to be laid out for purchase to persons who will cultivate the land will be divided into farms of not over 300 acres each. The town of Beaufort is to be sold according to the present division of town property. These sales are to be made for cash, except to persons in the naval and military service, who are entitled to purchase, and who are to receive credit upon paying a quarter of the purchase money, and the residue in three years from the day of sale.

SNOW STORM IN SEPTEMBER.—MICHIGAN CITY, Ind., Sept. 19.—It commenced snowing here last night at 9 o'clock, and fell to the average depth of an inch. There was no means of ascertaining the extent of country visited by this storm. Its effects will be discussed in the extreme. But little corn is grazed, and that which is not, is of course, destroyed. Fruit of all kinds is ruined and damaged.

DEATH OF CAPTAIN BODIN.—The telegraphic dispatches to the newspapers announce the death of Capt. Bodin, of the 33d Kentucky Infantry. He fell in the sanguinary battle recently fought in Northern Georgia. Deceased was a native of Newport.

DEATH OF GEN. HOUTSON.—Gen. Sam Houston died at his residence in Huntsville, Texas, on the 25th inst., at the age of 80 years. He was born in the Richmond Whig.

This is about the third time Gen. Houston has died since the commencement of the war.

It is said a European loan has been proposed in order to start Maximilian as Emperor of Mexico.

The following was furnished us for publication in view of the proposed Illinois Convention. It was written by one who has seen service, and suggests a much more appropriate bestowal of the funds collected. The soldiers' families, and to those whose homes have been made desolate by this cruel war, let our charities go forth, and not waste our means in a vain display, unacceptable and unappreciated to the helpless sufferers in our midst.

THE ILLINOIS CONVENTION.
"Mother! why glow those faces in the street, And why those hushed lips and eyes, While we live with freezing hands and feet, And no crust of bread or morsel of meat Has passed our lips since yesterday?"

"Those lamps and bonnets, my freezing child, Portray the rich man's joy. That bloody battle, flashing wild, That horror, that death and gloom, What a picture would you say?"

"Mother! why ring those shouts of pride, While the hand plays a merry street? 'Tis not on the field of battle we died, Ten thousand hearts lay side by side, And sleep in one common grave?"

"Your father went at his country's call, But he little thought, as he gave up all, That his wife and son should have to fall, Of starvation and cold death's fall?"

"Mother! did God make the rich and poor, As the preacher said one day? Did he send us to live in the same house, To share the same bread and the same air?"

"Mother! did God give the rich one heart, And the poor one a hundred? Did he make us to live in the same house, To share the same bread and the same air?"

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Danville to the City of Louisville—A Plain Talk.
The payers of the City of Louisville:
You have recently voted \$500,000 to the Louisville and Nashville railroad company, for the purpose of building a railroad from Lebanon to Danville, and for the purpose of extending this road to the coal regions of the Cumberland, in order to supply yourselves with coal independently of river navigation. Considering the times, and the crippled condition of your business, this was a noble act, and well worthy the high reputation of your enterprising city. It was a wise investment of your money. The city will doubtless receive some day a heavy dividend on the investment. The amount of that dividend will, however, depend upon the discretion with which your money is expended.

What is your object, citizens of Louisville, in voting this absurd sum of money? Was it a benevolent or a business object? Was it to benefit the city of Louisville as well as the Louisville and Nashville Railroad Company? Was it not to draw the large trade of the heart of Kentucky? Does not Louisville want customers for her farmers? Does not her merchants want a market in which to sell her goods of every description? Do you expect sufficient business to be done to secure all these worthy objects? Did you not vote your money to the Lebanon and Nashville railroad? Did you not expect your road to run to Danville? Did you not expect to command the trade and travel of Danville, of Boyle county, part of Mercer and part of the passengers of the Central Kentucky? Are you aware that the president of the Louisville and Nashville railroad company is about to answer all of these questions? Do you know that he is watching the line on which Mr. Guthrie is locating your road? He has determined, so far as the action of his engineers is concerned, and he has determined to run the road to Danville, and to command the trade and travel of Danville, of Boyle county, part of Mercer and part of the passengers of the Central Kentucky? Are you aware that the president of the Louisville and Nashville railroad company is about to answer all of these questions? Do you know that he is watching the line on which Mr. Guthrie is locating your road? He has determined, so far as the action of his engineers is concerned, and he has determined to run the road to Danville, and to command the trade and travel of Danville, of Boyle county, part of Mercer and part of the passengers of the Central Kentucky?

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TELEGRAPHIC.
(From Yesterday's "Evening News.")
Late Intelligence from Charleston.
The Siege Progressing Favorably.
A Terrific Storm in the Harbor.
Soldiers on Morris Island Drowned.
Their Encampments Demolished.
Explosion of a Rebel Magazine.
Confederate Steamer Sunk.
Proclamation of Governor Bonham.
South Carolina Militia Called Out.
Block Island Shelled by the Rebels.
Rebel Batteries Firing on Ft. Gregg.
No Draft in the State of Ohio.
Potomac Army Ordered Forward.
Rebel Army Numbers 40,000 Men.
They are Busily Engaged Fortifying.
The Florida to be Detained at Brest.
Late News from Western Arkansas.
Gen. Blunt Addresses the People.
Lower California to be Ceded to France.
General Bragg's Official Dispatch.
Gen. Grant Re-enforces Rosecrans.

A Charleston harbor letter states that everything is very quiet there. A Herald correspondent writes from the northeast that a great deal of important work is being done, the nature of which cannot be revealed, but the results of which will soon develop themselves. On Wednesday last several gunboats from the northeast continued to blow great gusts until Thursday night, when it moderated and finally died away. The waves were blown down, and their occupants compelled to remain on shore, exposed to one of the severest rain storms we have witnessed for some time. Unusually high and heavy waves rolled far on the beach over the levees of sand constructed about the camps, and completely swept down rows of tents, and destroyed the vessels in the road pitched and rolled violently, and many of them dragged their anchors. Fortunate that these efforts to show the Charleston Courier, of the 16th, has the following:

A very sad accident occurred at battery Chever, on Tuesday night, about 10 o'clock, Tuesday morning. A magazine exploded, killing five men. We have not learned the cause of the explosion, nor how many were wounded.

The rebel steamer Sumter was sunk by the Monitor and a few days ago, you in what manner the Courier does not state.

Gen. Bonham has called for an extra session of the Georgia Legislature, to meet at Columbus, September 25th. Gen. Bonham in his proclamation calls out all the arms-bearing population of the State to serve for six months or to be liable to Confederate service for State defense. The term of enlistment of these accepted is for six months.

The Journal says that General Sherman has been busily engaged in shelling our camps on Block Island during the past three or four days, but has not occasioned a single casualty up to last night.

The rebels seem to be under the impression that something is going on that does not promote well to their cause, as our men are silent and no guns have been fired on our side recently. It is not improbable they are correct in their surmise, but these efforts to show out will signify little to remove the cause of these fears.

WESTERN DEPARTMENT.
Dr. J. S. NEWBERRY, Sec.
General Office and Hospital Directory, Fourth street,
bet. Chestnut and Broad-¹²ay. (dim)

Commission and Forwarding Merchants
No. 142 Fourth st., between Main and Water,
LOUISVILLE, KY.
The highest market prices paid in cash for Peaches, Apples, Grapes, Raisins, Dried Fruit, &c.